

McDERMOTT & RADZIK, LLP
Attorneys for Plaintiff
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JUDGE BATTS

08 CV 0430

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CERTIFIED TRANSPORTATION GROUP, INC.,

Plaintiff,

-against-

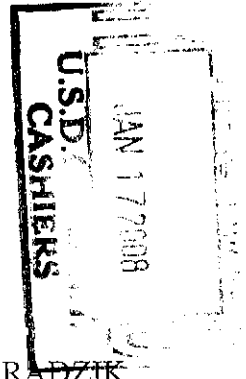
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CARGOLUX AIRLINES INTERNATIONAL S.A.,

COMPLAINT

Defendant.

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Plaintiff, complaining of the defendant, by its attorneys, McDERMOTT & RADZIK, LLP., sets forth and alleges to this Court upon information and belief, as follows:

1. That this is a claim under the "Warsaw Convention" 49 U.S.C. App. §1502, with jurisdiction pursuant to 28 U.S.C. §1331.
2. At and during the times hereinafter mentioned, plaintiff was and is a corporation formed under the laws of one of the states of the United States and has an office and place of business located at 195 Oval Drive, Islandia, New York 11749.
3. At and during the times hereinafter mentioned, defendant, CARGOLUX AIRLINES INTERNATIONAL S.A., was and still is a foreign corporation or other business entity and acted as an air freight forwarder, indirect air carrier, consolidator, bailee and/or common carrier of merchandise by air for hire and has an office and place of business at

c/o Nippon Cargo Airlines, Building 79, North Boundary road, JFK International Airport, Jamaica, New York 11430.

4. That on or about August 29, 2006 at Dallas there was delivered to defendant, as an air common carrier, a shipment of eight cartons of furniture then being in good order and condition and defendant accepted the shipment so shipped and delivered to it and in consideration of certain agreed freight charges thereupon paid, or agreed to be paid, agreed to transport and carry said shipment to Doha, Qatar under MAWB 172 DFW 44777235 and there to deliver same in like good order and condition.
5. The shipment never arrived at destination, in violation of defendant's obligations and duties as a common carrier and/or due to defendant's negligence and/or misconduct.
6. Plaintiff was the shipper, consignee or owner of the aforesaid shipment and brings this action on its own behalf and as agent and trustee on behalf of and for the interest of all parties who may be or become interested in the said shipment, as their respective interests may ultimately appear and plaintiff is entitled to maintain this action.
7. By reason of said premises, plaintiff has sustained damages in the amount of \$3,691.66, no part of which has been paid, although duly demanded of defendant.

WHEREFORE, Plaintiff prays:

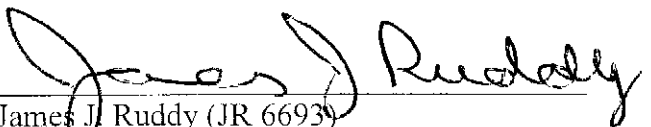
1. That process in due form of law may issue according to the practice of this Court against defendant.
2. That if defendant cannot be found within this District, that all its property within this District be attached in the amount set forth in this Complaint.

3. That judgment be entered in favor of plaintiff against defendant for the amount of plaintiff's damages together with interest and costs.
4. That this Court will grant the plaintiff such other and further relief as may be just and proper.

Dated: New York, New York
January 16, 2008

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By:


James J. Ruddy (JR 6693)